

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Further Streamlining)	IB Docket No. 18-314
Part 25 Rules Governing Satellite Services)	

COMMENTS OF EUTELSAT S.A.

Eutelsat S.A. (“Eutelsat”) submits these comments on the Federal Communications Commission’s Notice of Proposed Rulemaking (“NPRM”) that seeks to simplify the Commission’s Part 25 Rules governing satellite services.¹ Specifically, the NPRM proposes the creation of an integrated network license (a “Unified License”)² for space stations and earth stations operating in a geostationary satellite orbit (“GSO”), fixed-satellite service (“FSS”) satellite network, as well as the repeal or modification of other rules governing satellite services.

Eutelsat, a global GSO FSS satellite operator with substantial operations in the United States, welcomes the Commission’s efforts to further streamline its Part 25 Rules. In so doing, Eutelsat requests that the Commission: (i) ensure that foreign-licensed satellites have a similar opportunity to obtain integrated satellite network operating authority; (ii) ensure that any new Unified License approach is in addition to existing authorization options; (iii) eliminate the requirement for satellite operator annual reports; and (iv) adopt internationally accepted out-of-band (“OOB”) emission rules.

First, the Commission proposes to create a Unified License to include both GSO satellites and earth stations with which they communicate to eliminate redundancies in applications, allow

¹ See *Further Streamlining Part 25 Rules Governing Satellite Services*, Notice of Proposed Rulemaking, FCC 18-165, RM 18-314 (rel. Nov. 18, 2018) (the “NPRM”).

² Referred to variously in the *NPRM* as a unified license, satellite network license, or joint space station and earth station license.

for greater flexibility in satellite network configuration, and accelerate the earth station deployment process.³ Eutelsat generally supports adoption of the new Unified License option to afford additional licensing flexibility and to facilitate the provision of new satellite services to U.S. customers.

If the Commission adopts the Unified License proposal, it should ensure that non-U.S.-licensed satellites have the opportunity to obtain such authority. Permitting such authority to be included in a foreign satellite market access request would ensure compliance with the World Trade Organization (“WTO”) rules regarding national treatment for telecommunications services provided using satellites licensed by WTO member nations,⁴ and would also be consistent with the reasoning expressed in the Commission’s *DISCO II* order and Part 25 rules.⁵ Although market access grants are not licenses, foreign satellites provide service in the United States in compliance with essentially the same operational rules as U.S. satellite licenses. The Commission can expect similar compliance with earth station operational rules in connection with any Unified License authority conferred on operators of foreign-licensed satellites. Integrated network authority therefore can be made available to operators of non-U.S.-licensed satellites and will enhance competition in the U.S. market to the benefit of U.S. consumers.

Second, the Commission should ensure that any new Unified License approach is in addition to existing authorization options available to satellite and earth station operators. A satellite operator cannot anticipate all potential earth stations and blanket licensed terminals that

³ See *NPRM* at ¶¶ 6-9.

⁴ See WTO Web Page, *Annex on Telecommunications* <https://www.wto.org/english/tratop_e/served/12-tel_e.htm>).

⁵ See Amendment of the Commission's Regulatory Policies to Allow Non-U.S. Licensed Satellites Providing Domestic and International Service in the United States, Order, 12 FCC Rcd at 24112-13 (para. 40) (*DISCO II*); see also 47 C.F.R. § 25.137(a)).

may communicate with the satellite. In addition, many customers seek to independently implement and manage their own earth station networks. The satellite operator may simply provide transponder capacity and may not be in a position to undertake additional regulatory responsibilities in this context. Thus, although Eutelsat supports additional licensing flexibility, the Commission should preserve existing satellite and earth station licensing approaches.

Third, the Commission proposes to eliminate the unnecessarily burdensome annual reporting requirement for satellite operators, but to retain the requirement for satellite operators to annually confirm their point of contact information.⁶ Eutelsat agrees with the proposal to eliminate the annual reporting requirement but also believes that annually confirming point of contact information is unnecessary and duplicative. Section 25.171 of the Commission's rules already requires operators to maintain accurate point of contact information and inform the Commission of any changes within 10 days. In addition, for operators with stable satellite operations, eliminating the annual requirement to report changes in operations but maintaining annual reporting of point of contact information provides no material reduction in regulatory burden. Thus, Eutelsat urges the Commission to eliminate annual reporting requirements for satellite operators in their entirety.

Finally, the Commission proposes to update the default out-of-band emissions rule for satellite services (47 C.F.R. §25.202(f)) with an internationally adopted standard.⁷ The current rule creates confusion regarding frequency limits and attenuation schedules. Eutelsat agrees that the current rule is outdated and supports adoption of the proposed standard because it will increase congruence with international standards and enhance usable bandwidth.

⁶ See *NPRM* at ¶ 17.

⁷ Recommendation ITU-R SM.1541-6, "Unwanted emissions in the out-of-band domain."

In conclusion, Eutelsat generally supports the Commission's proposal to further streamline its Part 25 rules. Eutelsat urges the Commission to make any Unified License authority available to operators of non-U.S.-licensed satellites, preserve existing satellite and earth station licensing options, fully eliminate annual reporting requirements, and adopt the internationally accepted out-of-band emissions standard.

Respectfully submitted,

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